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ABSTRACT

This pamphlet identifies and explains Colorado laws as they apply to juveniles and adults. The handbook was specifically developed to help teenagers know how the laws protect them and how they are expected to comply with them. Two short sections discuss the necessity of having laws and give definitions of 12 legal terms such as felony and petty offense. The majority of the handbook contains explanations of the law under 30 topics. The topics include alcohol use and abuse, arrest, bicycles, consumer rights, crimes against property, crimes against persons, curfew, death penalty, driver's licenses and vehicles, hitchhiking, juvenile court, marriage, medical services, narcotics and drug abuse, and smoking of tobacco. Several tables outline the classification of certain types of crimes such as arson and possession of marijuana, and indicate specific penalities. A concluding section offers names, addresses, and phone numbers of 20 service agencies in Denver which provide help for people with legal, emotional, medical, drug, or drinking problems. (AV)

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## WHY HAVE LAWS?

Imagine what life would be like if there were no laws or rules at all. At first that might sound pretty good. A person could do everything he wants. Or could he?

The problem is everyone else could do as he pleases too. The bully in your gym class could beat you up. Anybody who wants your new football could steal it. You might buy what the salesman said was a ten-speed bicycle only to discover when you get it home that it is a three-speed bicycle and that you are stuck with it. You could, if someone didn't like your ideas, be arrested and put into jail without being told why or without being given a trial. Cars could screech through your neighborhood at eighty miles per hour, playing tag with the little children out in the street. The principal could say you must get straight A's or drop out of school and forget about getting an education.

In fact, what rights would you have? How would you protect yourself? If you spent all your time protecting yourself and your property, when would you have time for playing basketball or dancing or going to a party? A society without laws presents the grimmest of pictures. Instead of complete freedom, there would be chaos.

Long ago people realized that in order for an individual to have any freedom at all, either he must live as a hermit or he must make rules and laws which everyone would follow and which would therefore protect the rights of everyone. To enjoy freedom, we must give up our "right" to kill, steal, cheat, lie, and harm others. When we agree to protect the rights of others, we protect our own rights as well. The only reason, then, for having laws and rules is to protect oneself, one's family, and therefore all of us.

Certainly not every law ever written by men has been a good one. Laws are made by people and people sometimes do make mistakes. Fortunately, a democratic society like ours provides us with peaceful, orderly ways to get rid of bad, outdated, or ineffective laws. Soon you will be able to vote to elect the people who make laws in Congress, in the Colorado General Assembly, and in the Denver City Council. It is your right and your responsibility as a citizen to elect good lawmakers and to be well informed about what they do.

You might ask, "What about the people who won't obey the

laws?" These people hurt all of us either directly or indirectly. When you break a rule in your own family, your parents might ask you why. If your reason is unacceptable, you may be punished. When you break a law of society, the question is "Did you do it?" Except in a very limited way, the reason for breaking the law is not important. If you go speeding down a major street in your car, you endanger the lives of other people. It doesn't matter that you may be speeding because you're upset after a fight with your girlfriend. If you break the law, you will be punished.

We give the police the power to enforce the law for us and catch lawbreakers. The police bring the accused lawbreakers to the attention of the district attorney's office. The district attorney's office then brings the accused to court for trial. If the accused person is found guilty, he must pay for the harm he has done, either in fines or in the temporary loss of his freedom.

Because our laws are enforced in this way, most persons choose to obey the law. Those who do not must pay the penalty.

Let's take a look at just a few ways the law helps you. Among other things, the law—

- discourages others from stealing your favorite possessions and catches and punishes those who do steal from you
- allows you to belong to any religion you desire or to none at all
- allows you to entertain whatever views you wish
- allows you to say and write what you wish as long as you don't endanger other or tell lies to hurt them
- allows you the same protection under the law as all other people
- protects your privacy as an individual from illegal searches or unreasonable interference
- provides you with peaceful ways to solve disputes
- protects you from being arrested for no reason and imprisoned without trial.

The laws of our nation, our state, and our city belong to all of us. They give us a free, peaceful society, where all people can live without fear of having their rights violated. The law restricts or restrains us only when what we say or do would be harmful in some way to others.

For you to enjoy the full benefits of freedom under law and understand the responsibility this freedom places upon you, it is very important that you know the laws that relate to you as a teen-ager. This book is written for you, to help you know how the law works for you and how you must work for the freedom you enjoy.

## LANGUAGE OF THE LAW

Like other subjects, the law requires those who would know it to understand at least a few basic terms. Included below are some of the terms most frequently used in this book. Others will be defined as they appear.

**Juvenile**—a person under eighteen years of age, also referred to as a *child, minor,* or *young person.*

**Adult**—a person eighteen years or over, except someone under continuing court jurisdiction or someone charged with a delinquent act before having become eighteen years of age.

**Juvenile Delinquent**—a person under eighteen years of age who has been found by a court to have violated a law.

**Criminal Case**—a legal case involving the violation of a law; the jury decides if the accused is guilty or not guilty. If the accused is found guilty, the judge decides how the guilty person will be punished within the limits of the law.

**Crime**—a deliberate or negligent violation of the law, a wrongful act against society that can be punished by fine or imprisonment or both.

**Petty Offense**—a minor crime which can be punished by a fine up to $500 or imprisonment up to six months or both—for example, glue sniffing.

**Misdemeanor**—a crime more serious than a petty offense with punishments ranging from a $50 fine to two years' imprisonment or both—for example, theft of something whose worth is less than $200 but more than $50.

**Felony**—the most serious crime, punishment for which can vary from an indeterminate sentence (or $1,000 fine) to death—for example, burglary, robbery, murder.

**Negligence**—the failure of a person to realize that there is a likelihood that harm will result from his behavior, the failure of a person to show reasonable concern for the safety and well-being of himself and others around him—for example, loaning a car to someone when you know the brakes don't work.

**Warrant**—a court order requiring a peace officer to perform acts such as to make an arrest or search a specific place.

**Civil Case**—a legal case involving either a dispute between two or more persons over a point of law or a wrongful act against another *(tort)*. The court decides who is right and who is wrong. The person in the wrong may be required to stop what he is doing, give back property, or pay damages.

**Tort**—an act which violates someone's personal or property rights, a wrongful act against a person. The person wronged must bring suit to recover damages. Examples include slander, libel, trespassing, making obscene phone calls, and invasion of privacy.

## ALCOHOL—USE AND ABUSE (Drinking)

Every state in the United States has laws regulating the use of alcoholic beverages. It has been medically proven that abuse (either overuse or misuse) of alcohol can endanger a person's health, sometimes to the extreme of death. According to a recent newspaper account, two men sitting in a bar decided to see which man could drink the most gin in an hour's time. After drinking as much as they could in the hour, both men collapsed and died on the spot. Nobody won the bet.

At the very least alcohol reduces a person's reflex time and reduces his ability to control his own behavior. Many deaths are caused every year on the nation's streets and highways by drivers who drink and drive. Because of the many problems caused by people who are under the influence of alcohol, laws have been passed to protect society.

Colorado law says:

- No one under age eighteen may buy any kind of alcoholic beverage.
- No one may sell to or buy for a person under eighteen any kind of alcoholic beverage.
- No one may drink alcohol on school property.
- A person eighteen or older may buy 3.2 beer.
- A person twenty-one or older may buy any kind of alcoholic beverage.
- A person may be legally required to show proof of age before purchasing liquor. Falsifying identification is illegal.
- No one under the influence of alcohol may drive an automobile (an automobile becomes a deadly weapon in the hands of a drunk driver).
- No one may drink while driving.
- No one under age twenty-one may work in a "bar," except that a person eighteen or older may work in a "3.2" bar.

## ARREST

A police officer may arrest (take into custody) any person for whom an arrest warrant has been issued or any person the officer has reason to believe has committed a crime, is committing a crime, or is about to commit a crime.

Without the power to make arrests, the police would not be able to enforce the laws. If there were no law enforcement, no individual's rights would be safe.

If you are arrested, it does not mean you are guilty of a crime. It means only that you are accused of having committed a crime. You are guaranteed by the Constitution every possible protection from false arrest and every opportunity to clear yourself of the charges against you if you are innocent.

Laws governing arrest procedure include:

- An officer may arrest a person if he has a warrant commanding him to do so, if the person has committed a crime in his presence, or if he has reason to believe the person has committed or is about to commit a crime.
- An officer may stop a person for questioning if he believes that the person has committed or is about to commit a crime; and, if the officer feels his personal safety or that of innocent bystanders is in danger, he may conduct a "pat down" search of the person for weapons (*Terry* v. *Ohio* 1968).
- An officer may use all necessary and reasonable force in making an arrest.
- An officer may use reasonable force to enter a building or property to make an authorized arrest.
- You must submit to arrest even if you feel it is unjustified. If you do not, you are guilty of resisting arrest even if you have committed no other crime.
- If you feel you have been falsely arrested (arrested without reasonable cause or with malicious intent), you should contact the Staff Inspection Bureau of the Denver Police Department; you may bring suit against the police officer or police department for false arrest.
- When you are arrested, the police officer must inform you of your rights and help you to understand them.

Your rights include:

1. Remaining silent—you don't have to say anything.
2. Being told that anything you say can and will be used against you in a court of law.
3. Having an attorney present during questioning. If you can't afford an attorney, the judge will see that you have one.
4. When you are arrested, having your parents called so that they will be able to assist you.
5. Being told the reason for your arrest.

If the policeman doesn't inform you of your rights, you may still have to go to court. The result may be only that what you told him cannot be used against you in court. Rights belonging to adults in criminal cases are also guaranteed to juveniles as a result of Supreme Court decisions (in re *Gault* 1967, in re *Winship* 1970).

A juvenile may be taken into temporary custody by police if the policeman has reasonable grounds to believe that the juvenile has broken a law, run away from home, been abandoned, is in danger, or is a danger to others. Being taken into temporary custody is not an arrest and does not result in a record.

A probation officer may also take a juvenile into temporary custody for the same reasons, or he may do so if the juvenile has violated his probation requirements.

When the juvenile is taken into custody, the parents are notified immediately and asked to come to the police station to hear the facts in the situation. The police detective will then decide if the young person should be held further or released in the custody of his parents.

If he is held, a hearing will be held within forty-eight hours before a juvenile referee. During the course of the hearing the police officer will show cause why the juvenile should be held.

If the juvenile is suspected of having committed a serious crime, he and his parents must be informed of his rights, as stated above. A juvenile may not be held in a detention or shelter facility for more than forty-eight hours, excluding Sundays and holidays, unless a petition has been filed or unless the court so orders following the hearing to determine whether there should be further detention or release.

## ATTORNEYS

If you should find yourself in a position where you will need the services of an attorney, it is important to know how to go about finding one that will meet your needs.

There are several ways of finding an attorney. One of the most common is to ask friends or adults you trust to recommend one, making sure to ask them why this attorney is being recommended to you. An attorney who specializes in taxes or corporation law probably would not be much help to you if you are facing criminal charges. Lawyers are trained in all areas of the law, but many prefer to handle specific types of cases. It is important, as you look for an attorney, to make clear the type of legal problem you have so that you can find an attorney who will fit your needs.

Another way to find legal help is to call on a neighborhood legal aid society. There are such legal aid offices throughout the city of Denver. Telephone numbers and locations of these offices are listed in the back of this book.

A third way to find an attorney is to call the Metropolitan Lawyer Referral Service (573-8871). This organization, which is approved by the Colorado Bar Association, can give you the names of attorneys in your area of town to meet the needs of your specific legal problem. Attorneys in Colorado cannot legally list themselves as specialists in any area, but the referral service will have information on the types of cases a particular attorney may wish to handle.

The selection of an attorney is a very personal choice, like the selection of a doctor. If you do not feel comfortable or confident with the first attorney you consult, you do not have to retain (hire) him. You may call on someone else. To be effective, the attorney-client relationship must be based on trust and confidence. Make your choice wisely.

Another problem many people have in consulting an attorney is knowing exactly when an attorney's services are actually needed. Below are some occasions when you should consider consulting or hiring an attorney:

- if you have been arrested and face possible serious criminal charges
- if you are the defendant in a juvenile hearing or in a criminal trial
- if you are a defendant in a law suit in which you are being sued for damages
- if you feel you have good cause to sue someone else for damages done to you
- if you feel your Constitutional rights have been violated
- if you are considering purchasing a house or other real estate
- if you wish to make a will
- if you are considering opening a business or becoming a partner in a business.

**What does hiring an attorney cost?** This is a very important question to most people. Unfortunately, there is no standard answer. It is one of the first questions you should ask, however, when you consult an attorney. If you cannot afford the attorney's fees, it is best not to waste his time or yours by continuing further. Look elsewhere for another attorney or for legal aid.

Attorneys are highly educated, professional people. Their services are expensive, but very necessary. Some attorneys charge according to a fixed fee for a particular type of service. Others charge according to their case load (how busy they are) or the ability of the client to pay. In civil cases many attorneys use a *contingent fee* arrangement. This means that the attorney's fees come out of your winnings, if you win a damage suit, according to a fixed percentage rate. In no case should you allow this rate to exceed 33⅓ per cent.

Another method used by some lawyers to determine fees is to charge a fixed hourly rate, which may range from $20 to $200 per hour. However attorney fees are determined, make sure you discuss this topic carefully and thoroughly with the attorney before you proceed with the case.

Under certain circumstances an attorney may be provided for you free by the court. According to the *Gideon* v. *Wainwright* decision of 1963, a person charged with a felony who is too poor to hire an attorney for himself may have one appointed for him by the court. This applies at both the federal and state levels. In re *Gault* decision of 1967 indicated that a juvenile is also entitled to be represented by an attorney, free of charge, if he can't afford one, in any hearing where the juvenile's freedom is at stake. The Colorado Children's Code supports this ruling. (*C.R.S.* 1973, 19-1-106)

## BICYCLES

Many young people like to ride bicycles for fun or exercise. Others ride them for transportation to and from school or to and from after-school jobs. Since the use of bicycles can be very important to many persons, laws have been passed to protect anyone's right to own and use a bicycle.

Laws concerning bicycles include:

- No one may ride a bicycle in Denver County unless the bicycle is registered, licensed, and the license plate attached to the bike. (This law discourages bicycle theft and helps police recover lost and stolen bicycles.)
- The same regulations that apply to automobile drivers also apply to bicycle riders. For instance, a bicyclist must obey traffic signals and signs and must signal when he is going to turn. A bicyclist may be ticketed for traffic offenses and be required to pay the fine that applies to the offense. However, no "points" will be assessed against the cyclist's driver's license, if he has one.

A bicycle license costs $1.00 per year.

You may go to your local fire department to have your bicycle inspected. The firemen will give you a slip indicating that the bicycle has been inspected. You must then send this slip, along with your dollar, to the Police Bicycle Bureau. The bureau will send your license through the mail.

You can also go directly to the Denver Police Bicycle Bureau with your bicycle and dollar to get your license. It is possible also to arrange through the principal of your school to have the police school resource officer come to the school to license bicycles.

If you have had a license before, you can expect to get a renewal slip in the mail. All you do then is verify the information, send in your dollar, and wait for a new license plate to be sent to you.

## CHANGING SOCIETY LAWFULLY

Respect for the law does not mean an uncaring attitude or one of acceptance of the system without question. There is always room for improvement and change. Young persons can be both effective and important in making such changes.

The First Amendment to the Constitution of the United States guarantees the right to freedom of speech and freedom of assembly. These rights are the most basic to promoting participation in the political process. Yet even these freedoms cannot be without limits. A person may, for instance, say what he wishes, but he cannot encourage people to overthrow the government by force. He cannot yell "Fire!" in a crowded theater when there is no fire.

Your rights end where another's rights begin. Laws have been passed to protect your rights of free speech and assembly and at the same time to protect the rights of society. It is not always easy to tell where your rights as an individual end and the rights of another begin. While the laws try to help us find this dividing point, we must finally depend upon you, the individual, to care, to remain aware, and to look out for others as well as yourself.

Denver's laws regarding your use of freedom of speech and assembly include the following:

- **Parades**—Application for a parade permit should be made in writing to the Denver Chief of Police. The application should indicate the parade route and time, the person or association in control, and the purpose of the parade. The Manager of Safety issues a permit for a parade, charging $4.00. (*Revised Municipal Code of Denver*, Section 332.5 *et seq.*) Parades must be carefully planned so that they do not obstruct traffic and interfere with the rights of others.
- **Rallies**—To hold a rally in a park, you must obtain a permit from the Manager of Parks and Recreation. The application for a permit should include expected attendance, name and portion of the park to be used, day and hours for the rally, applicant's name, sponsor's name, names of speakers, and the purpose of the events. (*Denver Municipal Ordinance*, Sec. 311-1)

  You have a right to hold a rally, but you cannot interfere with the rights of others to picnic or use the park too.

- **Sit-ins**—Sit-ins are usually illegal because they frequently involve trespassing or blocking the way of vehicles or pedestrians. Police may remove or arrest anyone who enters property with the intent to interfere with the legal business of the owner. (*C.R.S.* 1973, 18-9-117, 18-9-109, 18-9-107)
- **Picketing**—Picketing is a legal exercise of freedom of speech. However, pickets cannot disturb the peace, be disorderly, interfere with the entry or exit of persons from the place being picketed, or block the sidewalk.

## CONSUMER RIGHTS

Teen-agers as a group make up a very important market for the goods produced and sold by American businesses. Since teen-agers buy many different products and spend large sums of money, it is important that they know how to protect their interests as consumers.

Consumer law is a comparatively new area of law, and many consumer problems have yet to be considered by the legislature or Congress. For many years the "rule of thumb" for the consumer has been *caveat emptor* ("let the buyer beware"). This rule is still good practice. Although most businessmen consider honesty and consumer service a very important part of their businesses, it is those few who do not that cause the consumer problems. Both Congress and the Colorado Assembly have made some progress in recent years toward the protection of the rights of the consumer.

At the federal level the two most important agencies which look after consumer interests are the Federal Trade Commission (F.T.C.) and the Food and Drug Administration (F.D.A.). The F.T.C. investigates and regulates federal laws dealing with unfair or deceptive business practices toward consumers. It is also responsible for seeing that products are labeled truthfully and that advertising is truthful.

The federal Truth-in-Lending Act is enforced by the F.T.C. This law requires that the consumer be informed when he buys something on credit exactly what the rate of interest is and what the interest amounts to in dollars and cents.

If you have problems in any of the above-mentioned areas, you may address a letter of complaint to the F.T.C.

The F.D.A. tests and inspects foods and drugs to make sure they are safe for the public's use. It can remove unsafe products from the market.

The **Colorado Consumer Protection Act** of 1969 (*C.R.S.* 1973, 6-1-101) is designed to protect the interests of the Colorado consumer. The act defines what business practices are considered deceptive or unfair. Deceptive business practices include:

- knowingly passing off goods or services as something other than what they are

- knowingly making a false representation about a product's source, quality, certification, or approval by some person or group
- saying a product comes from a different geographical origin than it does
- saying that goods are original or new, when it is known that they are used, damaged, altered, or reclaimed
- saying goods are of a particular quality, standard, or grade when it is known that they are something else
- saying something which is false or misleading that damages the reputation of another company's goods or services
- advertising goods or services which are not intended to be sold or offered (called *bait and switch*)
- making false statements about prices of goods or services
- failing to give the consumer at the time of delivery of goods purchased on time a written order, contract, or receipt stating the conditions of the sale
- failing to identify flood-damaged or water-damaged goods as such.

According to the Colorado Consumer Protection Act, the following actions can be taken in response to the deceptive business practices listed above:

- The attorney general can obtain temporary restraining orders or injunctions prohibiting any further such practices.
- The attorney general can obtain court orders or judgments restoring to any person any money or personal property lost through deceptive practices.
- the attorney general may accept from a company in violation a promise that it will stop its behavior, return illegally gained funds to the rightful owners, and pay for any investigation instituted by the attorney general's office.
- The attorney general can conduct investigations, issue subpoenas, and hold hearings; he can obtain court orders forcing companies to comply with fair business practices.
- Citizens can sue on the basis of the Consumer Protection Act; damages and attorney fees can be awarded to the winner.
- Anyone who fails to follow a court order or injunction based on the Consumer Protection Act is liable for a civil penalty of up to $10,000 payable to the state's general fund.

If you feel you have been the victim of a deceptive business practice, you can call the Metro Denver District Attorney's Consumer Fraud Office (777-3072) or the Colorado Attorney-General's Office of Consumer Affairs (892-3501) to complain or seek advice. If you wish to check on a business's reputation before you buy from it,

you should call the Better Business Bureau (629-1030).

Although laws and agencies exist to protect the consumer from those few dishonest businesses or individuals, the best consumer protection of all is a well-informed consumer.

Before you buy, study the product, compare prices and stores. Consult consumer guides and other printed materials on the product. These actions will help keep you from making very costly mistakes or from being taken in by a deceptive business practice.

## CRIME

Crime is one of the serious problems in our society. Its cost to the American people in human suffering and property loss and destruction amounts to billions of dollars. Anyone who deliberately breaks the law or encourages or helps someone else to break the law has committed a *crime*. Criminals show a complete lack of respect for the rights and property of others. Some of the types of criminal acts, as defined by the Colorado Criminal Code, will be described in this section.

You already know about some of the crimes committed in our society from having watched TV programs or movies. You yourself or someone you know may have been the victim of a crime.

It is your responsibility to become as familiar as possible with the laws of your country, state, and city. If you show respect for yourself, for others and for the rights of others, and if you obey the rules you are learning, you can be reasonably certain that you are not breaking any laws.

Ignorance of the law is no excuse for committing a crime. If it were, there would be no protection or safety for anyone. Every lawbreaker could simply claim he didn't know he was breaking the law.

**Can you be held responsible for a crime?** You may be held responsible for crimes you commit and may be declared a *delinquent* if you commit any of the offenses described in the following pages. If you are age fourteen years or over and commit a serious crime, the juvenile court may transfer your case to the district court, where you may be charged, tried, and—if convicted—punished as an adult.*

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**Note:* Under certain circumstances a criminal case involving a juvenile may be filed directly in the District Court. The circumstances include those of a juvenile fourteen years or older who commits a class-one felony (see the following chart of crime classifications) and of a juvenile sixteen years or older who commits a class-two or class-three felony. In the latter case, the juvenile must already have been judged a delinquent as a result of a felony conviction during the previous two years.

Conviction in the District Court could result in the juvenile's commitment to Lookout Mountain School for boys or Mount View School for girls. Time of the commitment would be an indeterminate period not to exceed two years.

Even if you didn't commit the crime, you may be held responsible for the crime, if you took part in the planning of the crime, or any part of the criminal act. This type of participation in a criminal act is called *complicity*. The complicitor can be charged with the crime the same as the person who actually committed it.

**Criminal Responsibility***—Under the following circumstances a person may be held responsible for a crime committed even if he himself did not commit the crime or even if he tried to commit a crime and failed.

1. **Complicity**—A person is as legally responsible as the person who actually commits a crime (the *perpetrator* or *principal*) if he intentionally promotes, encourages, or advises another to commit a crime or if he helps in some way to make the commission of the crime possible. (*Colorado Revised Statutes* 18-1-603, 1973) An example of complicity would be someone encouraging another to burglarize the homes of people who are out of town by providing a list of the people to the burglar.
2. **Criminal Attempt**—A person may be held legally responsible for a crime if he intentionally makes any action toward the completion of the crime, even if he does not succeed in completing the crime. A person may also be held accountable for criminal attempt if he in any way helps someone else commit a crime. (*Colorado Revised Statutes* 18-2-101, 1973) An example of criminal attempt would be attempting to rob a bank but being stopped at the door by a guard before the robbery could take place.
3. **Conspiracy**—If a person joins with one or more other persons and plans to commit a crime and makes any step toward the commission of a crime, he is guilty of conspiracy. Such a person could be charged with both conspiracy and the actual crime committed. (*Colorado Revised Statutes* 18-2-201, 1973) An example would be plotting to assassinate a political leader, rob a bank, or kidnap someone for ransom.
4. **Criminal Solicitation**—If a person forces, orders, or persuades another to commit a crime, he is guilty of criminal solicitation. It does not matter, for purposes of liability, whether or not the person forced or persuaded actually commits the crime. (*Colorado Revised Statutes* 18-2-301, 1973) An example would be hiring someone to commit a murder.

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**Note*: No child under the age of ten years can be held responsible for any crime in the State of Colorado. Persons between the ages of ten and eighteen are responsible for their behavior, subject to the limitations described in the Colorado Children's Code (see section on Juvenile Court—Probation—Juvenile Records in this booklet).

**Crimes against Property**—The following are considered to be crimes against property:

1. **Arson**—Deliberately burning or destroying another's property by explosive device or fire is *arson*. Whether this crime is a felony or misdemeanor depends upon the type and value of the property destroyed. Destroying a bicycle would be a misdemeanor, while destroying a building would be a felony. (*C.R.S.* 1973, 18-4-101 to 105)
2. **Burglary**—A person who unlawfully enters or remains in or upon property when he has not been invited or given the privilege to be there and who intends to commit a crime on this property is guilty of burglary. There are varying degrees of burglary, depending upon the type of crime attempted or committed after unlawful entry. Such crimes include arson, theft, and assault. Breaking into a coinbox, vending machine, coin telephone, or cash register are also burglary. All types of burglary are considered felonies. (*C.R.S.* 1973, 18-4-201 to 204)
3. **Robbery**—A person who takes anything of value from another person by use of force, threats, or intimidation commits robbery. Robbery is a felony. (*C.R.S.* 1973, 18-4-301)
4. **Aggravated Robbery**—Committing robbery by use of a deadly weapon is called *aggravated robbery*. This crime is an even more serious felony than robbery. (*C.R.S.* 1973, 18-4-302)
5. **Theft**—Taking property belonging to someone else with the intent of keeping it is *stealing* or *theft*. The value of the property taken determines the severity of punishment. Theft of goods valued at $200 or more is a felony. Theft of goods valued at between $50 and $200 is a misdemeanor. Theft of something valued at less than $50 is a petty offense. (*C.R.S.* 1973, 18-4-401)
6. **Shoplifting**—Shoplifting is a common type of theft. Contrary to popular belief, a person does not have to walk out of a store to be arrested for possessing goods for which he has not paid. The law states that deliberately concealing unpurchased goods can cause the assumption that the person intends to steal the goods. (*Colorado Revised Statutes* 18-4-406 and 18-4-407) Shoplifting is not only illegal but also very costly to all of us. Billions of dollars are lost each year from shoplifting, and the stores pass this loss on to us, the consumers, in the form of higher prices.
7. **Receiving Stolen Goods**—It is a crime to knowingly receive or possess goods stolen by another. If the possessor of the stolen goods paid for them in good faith but did not know they were stolen, he still must return them to their rightful owner. It would be wise always to check to make sure that the person you buy something from actually owns the thing he wishes to sell you. Otherwise, you will be out the money you spent and the item you bought. (*C.R.S.* 1973, 18-4-404 and 406)

8. **Criminal Mischief**—Any person who intentionally damages or destroys property that is not his own, without permission of the owner, is guilty of *criminal mischief.* (*Colorado Revised Statutes* 18-4-501) The seriousness of this crime depends on the value of the thing destroyed. A juvenile as well as an adult may also have to pay for the damages done by his deliberate misconduct or negligence. Parents are also responsible for any damage done by their children to any public, religious, or business property. Criminal mischief is both a crime and a tort. Therefore, one may be both punished for the crime committed and sued to recover payment for the damage done.
9. **Criminal Trespass**—It is illegal to enter or remain on privately owned property without the permission of the owner. Entering private property, including motor vehicles, with the intent to steal is a felony. Entering private property without permission and without other criminal intentions is a misdemeanor. (*C.R.S.* 1973, 18-4-502 to 504)
10. **Defacing Property**—It is illegal intentionally to mar, damage, or deface public or personal property without the consent of the owner. Defacing property is a misdemeanor. (*C.R.S.* 1973, 18-4-509)
11. **Joyriding**—Any person who drives or takes any motor vehicle without the consent of the owner with the intent of keeping it temporarily is guilty of *joyriding.* Joyriding is a misdemeanor unless more than one offense is committed within a five-year period. A second offense in five years becomes a felony. (*C.R.S.* 1973, 18-4-409)

**Crimes against Persons**—The following acts are considered to be crimes against persons:

General Definitions: *Homicide* is the killing of one person by another; the phrase *after deliberation* has replaced *premeditation* to describe homicide in which the killer not only intends to kill but has reached this decision after having thought and exercised judgment about the act.

1. **Murder**—In every civilized society on earth, the worst crime of all is the deliberate killing of another human being without lawful justification or excuse. This crime carries the highest penalty allowed by law. (*C.R.S.* 18-3-101, 18-3-102, 1973)
   a. Murder in the first degree—This crime may be committed by
      (1.) intentionally causing the death of another after deliberation (formerly called *premeditated murder*)
      (2.) intentionally causing the death of another while in the process of committing a felony, such as arson, robbery, or burglary (sometimes called *felony murder*)

(3.) intentionally causing the death of another due to extreme indifference to the lives of others, such as a sniper firing into a crowd.

b. Murder in the second degree—This crime may be committed by

(1.) intentionally causing the death of another but not after deliberation

(2.) intending to commit assault but causing death instead.

2. **Manslaughter**—A person commits *manslaughter* when he recklessly causes the death of another or when he kills someone following extreme provocation and is unable to control his enraged emotions. This might happen, for example, if a father kills someone he sees harming his child. (*C.R.S.* 18-3-104, 1973)

3. **Criminally Negligent Homicide**—When a person is responsible for the death of another because of his own negligence, it is considered *criminally negligent homicide*. An example would be that of leaving a discarded refrigerator outdoors without having first taken the door off and of having had a child crawl inside to play, closed the door on himself, and suffocated. (*C.R.S.* 1973, 18-3-105)

4. **Vehicular Homicide**—If a person operates a motor vehicle in a reckless manner or under the influence of any drug or alcohol and causes the death of another as a result, he is guilty of *vehicular homicide*. This crime is a felony. (*C.R.S.* 1973, 18-3-106)

5. **Assault**—A person commits *assault* if he intentionally causes serious bodily injury to another by use of a deadly weapon or harms someone during the commission of another crime or causes intentionally any bodily harm to another. Assault is a felony. (*C.R.S.* 1973, 18-3-201 to 18-3-203)

6. **Menacing**—A person engages in *menacing* if by threat or physical action he intentionally places or attempts to place another person in fear of imminent serious bodily injury. Menacing and assault may occur together if the threat of bodily harm is actually followed by harm. Menacing may be a felony or misdemeanor, depending upon whether or not a deadly weapon was used. (*C.R.S.* 1973, 18-3-206)

7. **Kidnapping**—It is illegal to take by force and carry away another person, imprison him, or confine or detain him without his consent. If the person kidnapped is killed, this like first-degree murder becomes one of the most serious crimes. It could result in the death penalty. (*C.R.S.* 1973, 18-3-301 to 304)

8. **Sexual Assault**—A person who has sexual contact of any sort with another person against that person's will commits *sexual assault*. There are three degrees of sexual assault, which depend upon the amount of force used to cause submission and the type of sexual contact. Sexual assault on a child occurs when the

victim is less than fifteen years of age and the perpetrator is at least four years older than the victim. All degrees of sexual assault are felonies. This crime was formerly called *rape*. (*C.R.S.* 1973, 18-3-401 to 410)

9. **Child Abuse**—A person commits the crime of *child abuse* if he knowingly, intentionally, or negligently and without justifiable excuse causes or permits a child to be abandoned, tortured, cruelly confined or punished, deprived of necessary food, clothing and shelter, or placed in a situation which would be dangerous to the child's health or life. Child abuse is a misdemeanor except when it results in serious bodily injury to the child. In that it becomes a felony. (*C.R.S.* 1973, 18-6-401)
10. **Moral Offenses**—A wide variety of laws protect young persons against immoral practices. Those who make offensive sexual displays, commit unnatural sex acts, or sexually molest others are committing a crime. They should be reported to the police immediately. A person who can identify the offender has the responsibility to:
    a. file a complaint with the police immediately
    b. be prepared to cooperate as a witness.

    Even if you do not know who actually committed the offense, you should still report it. Your cooperation may prevent similar or more serious offenses in the future.

**Crimes against Public Peace and Welfare**

1. **Disorderly Conduct**—A person commits the crime of disorderly conduct if he intentionally or knowingly—
    a. fights with another in a public place
    b. threatens or abuses another in a public place
    c. shoots or displays a firearm in a public place
    d. makes unreasonable noise in a public place.

    (*C.R.S.* 1973, 18-9-106)
2. **Interference with Staff, Teachers or Students in Schools**—It is illegal to interfere with students, school officials or employees, visitors to schools, or public officials by preventing lawful use of property or facilities. (*C.R.S.* 1973, 18-9-109)
3. **Loitering and Other Acts around Schools**—To *loiter* means to stand idly around, delay, wander about, remain, or tarry in a public place. It is unlawful to—
    a. annoy or disturb the daily activities or classes of any school (*Rev. Mun. Code of Denver*, Sec. 840.2-1)
    b. annoy, disturb, assault, or molest any student or employee of any school while that person is in the school (*Rev. Mun. Code of Denver*, Sec. 840.2-2)

c. loiter in or about any school without having lawful business there (*Rev. Mun. Code of Denver,* Sec. 840.2-3)

d. conduct oneself in a lewd manner in speech or behavior in or about any school (*Rev. Mun. Code of Denver,* Sec. 840.2-4)

e. park or move a vehicle in the immediate vicinity of any school for the purpose of obstructing, annoying or molesting the students or employees or to invite students into such vehicle for unlawful purposes. (*Rev. Mun. Code of Denver,* Sec. 840.2-5)

4. **Riot**—This is an illegal public disturbance involving a gathering of five or more persons who by violent behavior create danger of damage to other persons or property or substantially obstruct the performance of any government function. (*C.R.S.* 1973, 18-9-101)

**Miscellaneous Offenses**

1. **Weapons Offenses**—It is illegal to own or carry a blackjack, bomb, firearm silencer, gas gun, machine gun, short shotgun, short rifle, metallic knuckles, gravity knife or switchblade knife. It is illegal to carry a gun or knife with a blade over 3½ inches in length concealed (hidden) on your person. (*C.R.S.* 1973, 18-12-101 to 105) It is illegal for any person under age eighteen to buy, carry, or discharge within the City and County of Denver any airgun, gas-operated gun or spring gun discharging metal pellets or BB shots. (*Rev. Mun. Code of Denver,* Sec. 486.12-1) It is illegal to buy, possess, or sell most kinds of fireworks except paper caps used in toy guns. Permits are required to operate public fireworks displays.
2. **Perjury**—It is illegal to make any false statement which would affect the outcome of any official proceeding or the action or decision of a public official. It is illegal to make false statements in a court of law or in a written statement while under oath to tell the truth. (*C.R.S.* 1973, 18-8-501 to 503)
3. **Resisting Arrest**—A person commits the crime of resisting arrest if he intentionally prevents or attempts to prevent a peace officer from carrying out a lawful arrest. Resisting arrest is a misdemeanor. (*C.R.S.* 1973, 18-8-103)

# CRIMES AND PUNISHMENTS

## (Colorado Criminal Code)

| Crime | Specific | Classification for Punishment |
|---|---|---|
| Murder | | |
| 1st-degree | intentionally causing death after deliberation | Class-1 Felony |
| 2nd-degree | intentionally causing death but not after deliberation | Class-2 Felony |
| Manslaughter | intent to cause death following provocation (sudden heat of passion) | Class-4 Felony |
| Criminally Negligent Homicide | causing death due to negligence | Class-1 Misdemeanor |
| Vehicular Homicide | causing death by recklessly operating a motor vehicle or while under the influence of drugs or alcohol | Class-4 Felony |
| Assault | | |
| 1st-degree | intentionally causing serious bodily injury by use of a deadly weapon or during the commission of another crime | Class-3 Felony |
| 2nd-degree | intentionally causing bodily injury | Class-4 Felony |
| Menacing | intentionally placing a person in danger of serious bodily harm by threat or physical force | Class-3 Misdemeanor |
| | —by use of a deadly weapon | Class-5 Felony |
| Kidnapping | | |
| 1st-degree | —if victim is harmed | Class-1 Felony |
| 2nd-degree | —if victim is released unharmed | Class-2 Felony |
| Sexual Assault | (formerly called *rape*) | Class-3 Felony |
| | —if victim suffers serious bodily injury | Class-2 Felony |
| Child Abuse | to endanger or treat a child cruelly | Class-2 Misdemeanor |
| | —if serious bodily injury | Class-3 Felony |
| Arson | | |
| 1st-degree | burning or exploding a building | Class-3 Felony |
| 2nd-degree | burning or exploding something other than a building | |
| | —damage $100 or more | Class-4 Felony |
| | —damage less than $100 | Class-2 Misdemeanor |
| Burglary | | |
| 1st-degree | unlawful entry with intent to commit a crime—assault or menacing takes place | Class-3 Felony |
| | unlawful entry to steal drugs | Class-2 Felony |
| 2nd-degree | unlawful entry to commit theft | Class-4 Felony |
| Robbery | stealing from a person by force or threats | Class-4 Felony |

## CRIMES AND PUNISHMENTS, continued
(Colorado Criminal Code)

| Crime | Specific | Classification for Punishment |
|---|---|---|
| Aggravated Robbery | stealing from a person by use of a deadly weapon | Class-3 Felony |
| Theft | stealing something worth $200 or more | Class-4 Felony |
| | stealing something worth between $50 and $200 | Class-2 Misdemeanor |
| | stealing something worth less than $50 | Class-1 Petty Offense |
| Criminal Mischief | damaging property valued at less than $100 | Class-2 Misdemeanor |
| | damaging property valued at $100 or more | Class-4 Felony |
| Criminal Trespass 1st-degree | entering private property with the intent to steal | Class-5 Felony |
| 2nd-degree | entering private property which is closed to prevent intrusion | Class-3 Misdemeanor |
| Defacing Property | damaging private or public property | Class-2 Misdemeanor |
| Joyriding | taking a motor vehicle without consent of the owner and using it temporarily | Class-2 Misdemeanor |
| | —if used in a crime | Class-4 Felony |
| | —keeping motor vehicle in excess of 72 hours | Class-5 Felony |
| Weapons Offenses | possession of illegal weapons | Class-1 Misdemeanor |
| False Fire Alarm | — | Class-1 Petty Offense |
| False Bomb Report | — | Class-5 Felony |
| Disorderly Conduct | fighting in a public place | Class-3 Misdemeanor |
| | displaying or firing a gun or any deadly weapon in a public place | Class-2 Misdemeanor |
| Loitering | standing around in a public place for purposes of begging, gambling, or other illegal acts | Class-1 Petty Offense |
| Inciting a Riot | — | Class-1 Misdemeanor |
| | —if harm caused to persons or property | Class-5 Felony |
| Resisting Arrest | refusing to obey lawful requests of police officer | Class-2 Misdemeanor |
| Perjury | giving false testimony under oath | Class-4 Felony |

## PUNISHMENT CODE

| Code | Minimum Penalty | Maximum Penalty |
|---|---|---|
| Felony 1 | life imprisonment | death |
| 2 | 10 years | 50 years |
| 3 | 5 years | 40 years |
| 4 | one day* or $2,000 fine | 10 years or $30,000 fine or both |
| 5 | one day* or $1,000 fine | 5 years or $15,000 fine or both |
| Misdemeanors | | |
| 1 | 6 months or $500 fine or both | 24 months or $5,000 fine or both |
| 2 | 3 months or $250 fine or both | 12 months or $1,000 fine or both |
| 3 | $50 fine | 6 months or $750 fine or both |
| Petty Offenses | | |
| 1 | none | 6 months or $500 fine or both |
| 2 | fine specified in section defining the offense | |

*In Class-4 and -5 felonies, the punishment alternatives range from probation to an indeterminate sentence within the maximum range listed above. Punishment may also be the fine listed or both the fine and the prison sentence.

## CURFEW

Most communities around the country have curfew laws which require juveniles to be at home after a certain hour of the day unless they are accompanied by a parent or guardian. These laws protect young persons from becoming the victims of crime or getting into trouble themselves.

If you are under age sixteen, Denver curfew law requires you to—

1. be at home after 10:30 p.m. and before 5:00 a.m., Sunday through Thursday, unless accompanied by a parent, guardian, or person eighteen or over who has your parent's written permission for you to be out
2. be at home after 11:30 p.m. and before 5:00 a.m., Friday and Saturday, unless accompanied by a parent, guardian, or person eighteen or over who has your parent's written permission for you to be out.

Exceptions to the above-mentioned restrictions would be legal employment which would require you to be out later or earlier, having your parent's written permission, or being accompanied by a person over eighteen.

If you are between the ages of sixteen and eighteen, you may be out any night of the week until 12:00 midnight, with the same exceptions as those in the previous paragraph.

Police may legally stop you if you are out after hours, determine why you are out, require you to go home, take you home, or talk to your parents. If your being out is in their minds a serious situation, they can even take you to Juvenile Hall.

## THE DEATH PENALTY

The death penalty was reestablished in 1974 by a vote of the Colorado citizenry for certain particularly terrible crimes, including first-degree murder, first-degree kidnapping, and treason against the State of Colorado.

In order that all citizens be treated fairly, the trial is held separately from the sentencing hearing in *capital cases* (those involving the possibility of the death penalty). The trial establishes the innocence or guilt of the accused, and the sentencing hearing determines whether the convicted defendant will receive life imprisonment or the death penalty.

The sentencing hearing is held before the trial jury or the trial judge, if the case was tried by the judge. At this hearing all possible factors which have a bearing on the case are considered. Both factors which would lessen the seriousness of the crime (*mitigating* factors) and factors which would make the crime even more serious (*aggravating* factors) are considered to determine if the death penalty will be imposed on the defendant. The defendant has the right to present any evidence or aguments in his own behalf to show why the death penalty should not be imposed.

If any of the following mitigating factors exist, the death penalty cannot be imposed:

1. The defendant was under the age of eighteen at the time of the crime.
2. The defendant's ability to appreciate the wrongfulness of his act was significantly impaired but not enough to be considered a defense to the crime.
3. The defendant was under unusual and substantial duress at the time of the crime.
4. The defendant was involved as a participant in a crime committed by another but his participation was relatively minor (i.e., he was a complicitor).
5. The defendant could not have reasonably foreseen that his conduct would result in death to another.

If there are no mitigating circumstances and one or more of the following aggravating circumstances is found to exist, then the defendant must be sentenced to death:

1. A previous conviction for a crime in which a sentence of life imprisonment or death was imposed
2. Killing someone inside a penal or correctional institution and such killing followed conviction on a class-1, -2, or -3 felony
3. Intentionally killing a person known to be a police officer, fireman, or correctional official
4. Intentionally killing a person kidnapped or being held as hostage
5. Being part of a conspiracy to kill someone
6. Committing the offense while lying in wait or ambush or by use of an explosive
7. Killing someone while fleeing from the site of a crime (class-1, -2 or -3 felony) which the defendant has just committed
8. Committing the offense in a particularly terrible, cruel, or depraved manner.

If the jury cannot reach a unanimous decision, it will be discharged, and the court will sentence the defendant to life imprisonment.

## DRIVER'S LICENSES AND MOTOR VEHICLES

Nearly every teen-ager looks forward to the day when he or she will gain the privilege of driving a car. Knowing the law is very important to being a good safe driver and enjoying that privilege.

Since so many people die or are seriously injured on our streets and highways every year, laws have been made to protect innocent people. These laws hope to discourage careless and reckless drivers and keep irresponsible and incompetent persons from driving cars.

A poor driving record including many tickets or accidents or

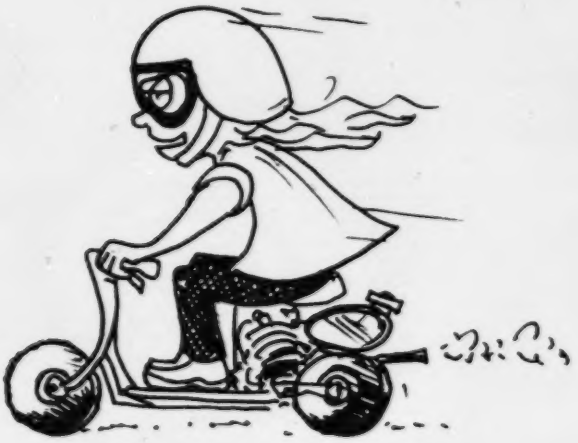
both can cause a driver to have his license suspended or revoked. Another result of a poor driving record is high insurance rates.

Remember, when you drive a car, you can have great enjoyment if you drive safely. If you are careless, it can cost you your life or that of those you love.

Colorado law states—

1. That you must be licensed to drive a car—you may apply for a temporary instruction permit if you are at least fifteen and one-half years old and enrolled in an accredited (approved) driver education course. You must submit proof that you are enrolled in such a course, such as a written statement from your teacher and one from your parents. With the instruction permit, you may drive in a specially marked and equipped car with your driving instructor.
2. That you may apply for a minor's instruction permit when you are fifteen years and nine months old. This permit is valid for 120 days and can be renewed for an additional sixty days.

   You must have a licensed driver with you when you are driving under a minor's permit.



3. That when you are sixteen you may apply for a minor's operating license, which expires when you are eighteen. From eighteen to twenty-one you may drive with a provisional operator's license.
4. That you may apply for an operator's license when you are twenty-one.
5. That you must pass examinations dealing with eyesight, recognition of highway signs, knowledge of traffic laws and driving ability for minor's, provisional, and operator's licenses. Booklets to help you prepare for the examination are available from a Department of Motor Vehicles office.
6. That applications for permits and licenses for drivers under eighteen must have the notarized signatures of their parents or guardians. The person signing the application is liable for any damage caused by the driver or any misconduct on the part of the driver. The minor is also responsible for his actions. A minor's license may be cancelled if the signer of the application arranges to be released from liability.
7. That minors are subject to adult court procedures when they commit traffic violations.
8. That points are given for each traffic violation. A driver who is a minor may have his license suspended for more than four points in any twelve consecutive months or more than six points for the period of the license. A driver who has a provisional license may have that license suspended for more than eight points in any twelve consecutive months of twelve points in any twenty-four consecutive months or fourteen points for the period of the license. A license may be suspended for a period of up to one year.
9. That instruction permits are also available for motorcycles if you're under sixteen. With this permit in your possession, you can drive a cycle when under the immediate supervision of someone twenty-one who is licensed to drive a cycle.
10. That as of April 1, 1974, every car or motorcycle owner must purchase no-fault insurance. *No-fault* means if the insured person's vehicle is in an accident and the damages resulting from it amount to less than $500, the insured person's insurance company will pay these costs. In accidents in which damages amount to more than $500, the person or persons suffering the damages must sue the other party to recover.

    One effect of the no-fault insurance law is to keep insurance costs down because more often than not one doesn't have to go to court to get the money to pay the doctor or to get the car repaired.

## ENTERTAINMENT

Everyone loves a party. Teen-age parties can be an exciting chance to share fun and laughter with friends. But it is best to have one's parents at home when one gives a party. If parents are home, uninvited guests will be less likely to crash the party and the parents of guests will be more likely to allow their children to attend.

Parents are legally responsible for the welfare of their children. A reasonable amount of supervision is beneficial to a young person, and it lessens the worries of parents too.

If you are a guest at someone else's party, tell your parents where you are going, what type of party it will be, who will be attending the party, and when you expect to be home. Should you have problems with party crashers or those who bring alcohol, drugs, or cigarettes to your party, ask them to leave. No one enjoys a party where there are arguments or fights among guests or illegal activities which endanger the rights and reputation of everyone. If you do call the police, give them your full cooperation.

Anyone who wishes to sponsor a public entertainment event such as a rock concert must complete an application to the Manager of Safety and Excise if the event is to take place in Denver County. In general, the Code of the City and County of Denver prohibits a person under eighteen to be in a public dance hall. If hard liquor is served, usually anyone under twenty-one is excluded.

## HITCHHIKING

Hitchhiking has become a somewhat popular way of getting around when people are without transportation, especially since the beginning of the energy crisis. Although hitchhiking is not entirely illegal, it can be very dangerous.

When you accept a ride from a total stranger, you have no way of knowing if this person is an honest, reputable person or someone who might try to harm you in some way. You also have no way of knowing if the driver who stops for you is a good safe driver or someone who drives recklessly and might endanger your life.

There have been occasions when people have picked up hitchhikers for the purpose of sexually assaulting them. This can happen to both girls and boys.

Many responsible drivers will not pick up hitchhikers because doing so can be very dangerous to them also. The hitchhiker could be an escaped mental patient or a criminal looking for a car to steal. In a survey in a small town in Arizona, officials decided to check on 100 hitchhikers passing through town. They found that sixteen were persons who had no record, one was a former mental patient, two were wanted for theft, and eighty-one had criminal records for everything from murder to drug offenses and sex offenses.

If you must hitchhike, make sure your parents both know and approve of your doing so. Don't hitchhike alone. If you are caught in an unexpected emergency, like having a car break down, be very careful about accepting a ride.

Never stand in the road when trying to hitchhike because a driver might not be able to avoid hitting you. It is illegal to walk on the side of the road with oncoming traffic behind you. If you are walking along roadways without sidewalks, walk on the left side of the road facing approaching traffic.

Hitchhikers are prohibited from the expressways of the interstate highway system, except for entrance and exit ramps.

The best suggestion is not to hitchhike at all.

## JUVENILE COURT—PROBATION—JUVENILE RECORDS

The first thing to remember about **Juvenile Court** in Denver is that it is a civil not a criminal court. Any minor who commits an act that would be considered a crime if it were done by an adult may well find his case handled in some other way. In very serious cases of wrongdoing, for instance, the young person may be transferred to a district court for trial as an adult.

The purpose of Juvenile Court in Denver is rehabilitation, not punishment. *Rehabilitation* means changing behavior that is not socially acceptable into behavior that is. What this court decides, in essence, is whether juveniles brought before it would be better off remaining with a parent or guardian, or becoming a ward of the court. It administers the *Children's Code* (laws relating to juveniles).

Included within the jurisdiction (area of control) of the Juvenile Court is any person under the age of eighteen who comes within any of the following categories:

1. "Neglected or dependent child," meaning a child who lacks proper parental care, an abused child, or an abandoned, homeless child
2. "Child in need of supervision," (CHINS), meaning any child who is repeatedly absent from school or who has run away from home or who is repeatedly absent from school or who has run away from home or who is beyond the control of his parents
3. "Delinquent child" meaning any child ten years of age or older who has violated any federal, state, or municipal law (except a juvenile who may be filed against directly in the District Court and tried as an adult).

The rights of the juvenile, as described in the *Colorado Children's Code*, must be explained to the juvenile and his parents. These rights include—

- to be represented by a lawyer at all stages of the proceedings
- to be informed of the reasons for the child being taken into custody
- to have the nature of the court proceedings explained, as well as possible consequences
- to subpoena* witnesses in the juvenile's behalf
- to be confronted by witnesses against him
- to bail (a procedure by which money is produced to the court to guarantee that the accused will appear in court)
- to avoid self-incrimination.

Juveniles under orders by the Juvenile Court may be committed to several different kinds of institutions for rehabilitation such as juvenile homes, ranches, and camps. All of these institutions are regulated by the Colorado Department of Institutions.

**Probation counselors** work with juveniles under the direction of the court to supervise and rehabilitate them. The probation counselor must keep informed about the condition, behavior, and the progress of the juvenile. He meets with the youth and his parents frequently to counsel them. The probation officer has basically the function of a helping person to the juvenile.

Many young persons wonder what sort of **record** they may have if they have been found guilty of a crime and placed in a juvenile institution. If carried into adulthood, a criminal record could have a bad effect on the ability of the person to get a job.

If you have made a mistake and been in trouble with the law, however, you still have a chance to erase your record. First of all,

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*A court order requiring a person to appear in court to tell what he knows about a case.

you must never again commit a crime. You must be able to prove to the court that you really want to be a law-abiding citizen. You may petition the court to expunge (destroy) your record. This petition cannot be submitted until two years after you have been released by the court, or two years after parole has ended. The court will set a date for hearing of your petition, inviting anyone believed to have information bearing on the destruction of the record. The court will order all records sealed if—

1. you have not committed a felony or misdemeanor since you left the court's jurisdiction
2. there are no current charges of a felony or misdemeanor against you
3. you have satisfied the court that you have truly been rehabilitated.

You are very fortunate that as a juvenile you have the chance to erase your past record. If you continue to get into trouble by violating the law as an adult, you will have outlived this opportunity. Your record will follow you everywhere.

## MARRIAGE

Getting married is one of the most important decisions you will ever make. This decision may seem a long way off, but you should be aware that when the time comes there will be some rules you must follow.

Colorado law requires—

- that to marry without your parent's consent, you must be eighteen years of age
- that if you are under sixteen years of age, you must have permission of the Court to marry
- that when a minor marries he becomes "emancipated" and his parents are no longer responsible for his support
- that you must have a license to marry, and have passed a blood test
- that under common law a couple living together may be considered married if friends and neighbors consider them married, and if they consider themselves married *(common-law marriage)*.

## MEDICAL SERVICES

The consent of your parents for medical help is not always necessary. Free treatment for venereal disease is available from public health agencies and some private associations. Treatment is provided on a confidential basis using numbers to identify patients instead of names.

Also birth-control counseling and the distribution of devices are available from agencies concerned with planned parenthood. No parental consent is required.

Treatment for other serious health problems is available for minors. Information can be obtained from county health departments, or by calling those services listed in the back of this book.

## NARCOTICS, DANGEROUS DRUGS, AND DRUG ABUSE

Drugs have become in recent years one of the "marvels" of modern medical science. Used properly under a doctor's direction, drugs can relieve pain and suffering and cure some diseases.

Unfortunately, some persons choose not to follow a doctor's direction and "prescribe" for themselves. Misusing drugs by using those which are illegal, using too much of a drug, combining drugs, or using them for purposes other than those intended is referred to as *drug abuse*. Such abuse can begin quite innocently, such as by taking too many tranquilizers during a personal crisis or being urged by a friend to "try" just a little of some drug.

The consequences of drug abuse may well be disastrous. You have no way of knowing what effects a drug may have on you. If you take a drug you are allergic to, you may go into anaphylactic shock, which is fatal unless medical treatment is received immediately. Often you cannot tell the quality of purity of the drug you take. You may not even be able to tell how much of a drug you are getting. The only safe way to use drugs is under a doctor's direction.

The following chart will give you some information about the laws conderning drug abuse in Colorado.

A juvenile may be charged with a petty offense or a misdemeanor for possessing dangerous drugs (hallucinogens, stimulants, depressants, and marijuana) on first offense. Juveniles over age fourteen may be charged with a felony for possessing heroin or cocaine.

## DRUG ABUSE — CRIMINAL RESPONSIBILITY FOR ADULTS COLORADO LAW

| Crime | Punishment |
|---|---|
| Possession of marijuana (now classed as a *dangerous drug*) | |
| private possession—1 oz. or less | Class-2 petty offense—fine up to $100 |
| open or public display or consumption—1 oz. or less | Class-2 petty offense—fine up to $100 plus up to 15 days in county jail |
| possession—more than 1 oz. —1st offense | up to $500 fine or up to 1 year in county jail or both |
| —2nd offense | 1-10 years or $500-$1,000 or both |
| possession of marijuana with intent to sell | 1-14 years or $1,000 or both |
| sale of marijuana to a minor | |
| sale of 1 oz. or more by a person over 18 to a person under 18 | 3-14 years and $10,000 |
| growing marijuana | 1-14 years and not more than $1,000 |
| Narcotics violations (opium derivatives—heroin, morphine, etc.) | |
| use or under influence of | not less than 6 months or more than one year in county jail |
| possession | 2-15 years plus not more than $10,000 |
| possession for sale | 10-20 years |
| sale of narcotics | 10-20 years |
| sale to aid another to unlawfully use or possess narcotics | 10-20 years |

DRUG ABUSE —
CRIMINAL RESPONSIBILITY FOR ADULTS
COLORADO LAW, continued

| Crime | Punishment |
|---|---|
| sale to a minor | life imprisonment |
| illegally acquiring narcotics | 1-5 years plus not more than $10,000 |
| Dangerous Drugs (includes hallucinogens, stimulants, and depressants) | |
| possession or use of | not more than one year in county jail or not more than $500 fine or both; conditional discharge available |
| possession for sale | 1-14 years plus not more than $1,000 |
| illegally acquiring | not more than 1 year or not more than $500 or both |
| sale of | 1-14 years plus not more than $1,000 |

## PARENTS AND THE FAMILY

Parents are, in some respects, the most important people in a young person's life. They provide love and security, food and clothing, shelter and many other things. Parents legally must provide the basic necessities of life for their children. They have the right and authority to make some decisions for their children—including consent to marry, representation in legal actions, and—in an emergency —authorization for surgery and extraordinary care.

Parents have the legal right and duty to provide necessary supervision and discipline for their children. Children, in turn, have a responsibility to obey all "reasonable and proper" orders of their parents.

Your parents have the right to provide reasonable punishment when you disobey them or break family rules. They do not have the right to cause physical or mental harm or damage to you in their disciplinary methods.

Custody can be taken from a parent by court action. Such an action may result if a child's health or welfare is endangered. Any person who abuses a child by inflicting unjustified physical pain or mental suffering is guilty of violating the law. (Child abuse is a class-2 misdemeanor; serious bodily injury to a child is a class-5 felony. *C.R.S.* 1973, 18-6-401)

Most parents try very hard to provide the very best of care for their children. Parents may be the best friends you will ever have. Why not treat them at least as well as you treat your other friends?

## THE POLICE

Policemen play one of the most difficult, dangerous, and important roles in our society. They have been entrusted with the work of enforcing the laws which protect our lives, our property, and our rights. We see policemen as "superheroes" on TV, solving nearly impossible crimes and nearly always catching the "bad guy." Yet in real life, people have many different views and attitudes toward policemen. Some people look upon the policeman as a protector, someone to call upon for help. Others see the policeman as someone interfering with their private rights. Some policemen have performed their duties with brutality and dishonesty. What most people forget is that policemen are just human beings with all the good points and faults that everyone else has. In every group of people there are those who are outstanding and admirable and a few "bad apples." It is essential that we recognize and respect the honest hard work of most policemen in our behalf, and not label all policemen with the misdeeds of a few.

Most Americans agree that crime is a very serious problem in our society. They demand that criminals be caught and tried for the harm they cause. Yet many people, sometimes the same people who complain the loudest about crime, refuse to cooperate with policemen asking questions, to be a witness in court, or to report crimes they witness. In these ways they make the policeman's job twice as difficult. Policemen cannot do their job of protecting us if we do not do our duty as citizens by helping in any way we can to make law enforcement work.

Police officers have the legal right to ask us to identify ourselves by name, address, and other basic information. There is no logical reason why we should refuse such a small request unless we have something to hide. Police officers also have the right to ask for our help and cooperation in catching law violators. Being rude, calling policemen names, and generally being hostile toward policemen does not help anyone. Most policemen agree that they become hostile only when the people they must work with treat them with rudeness and disrespect. Police officers lay their lives "on the line"

for us daily. The very least we can do is give the police officer our respectful cooperation.

How can you help make law enforcement work? Here are a few suggestions:

1. Identify yourself if asked to do so by a policeman.
2. Treat a police officer with at least as much respect as you treat your friends.
3. If you see a crime happening, call the police for help.
4. If you see a crime take place, be willing to testify in court about what you saw.
5. If a policeman believes he should "frisk" you, cooperate. *You* may know that you're not carrying a dangerous weapon, but he does not know that. It is better that some innocent persons be "patted down" than that a police officer be killed because a suspect had a concealed gun.
6. If a policeman arrests you, submit to the arrest. The police officer has a lawful right to make an arrest. You will be committing a crime if you do not cooperate.

Remember, policemen will do the job we want them to do if people cooperate with them. Like all of us, they like to be appreciated when they do a job well. If we all give the police our support, we will all benefit by less crime and a safer community to live in.

## PROPERTY RIGHTS — TORTS AND CONTRACTS

You commit a *tort* when you injure another person or his property, whether you do it on purpose or by accident. Every person, juvenile or adult, is responsible for his own behavior. You cannot publicly tell lies and injure the reputation of another, borrow someone's property and alter it to suit yourself (conversion), break your neighbor's window with a baseball, make offensive phone calls to someone in the middle of the night, or play your stereo at full volume at 3:00 a.m. These are all examples of injuring another person's rights. They are all torts.

If you ask yourself, "How would I feel if someone did to me what I am about to do?" you will be able to recognize what might be a tort. Anything you would consider a violation of your rights would probably be considered the same by someone else.

You, as well as your parents, may be sued for committing a tort. The court may order you, if you lose the case, to stop what you are doing, give back something you have taken, or pay for damage you have done. If someone commits a tort against you, your parents or guardian may bring suit against them for you.

A *contract* is a written or oral agreement between two or more persons. It includes a promise to do or not to do something and is backed by some type of proof of good faith, usually money. Buying a car is an example of a type of contract that may be made. The seller promises to sell a specific automobile for a certain amount of money. The buyer promises to pay a certain amount of money for the automobile.

When you order food in a restaurant, you are in effect making an unspoken contract or promise to pay for the food. Persons under eighteen cannot make contracts for such things as buying houses or land. They can buy an automobile, however, if their parents sign the contract too (cosign). This makes both the juvenile and his parents responsible for upholding the contract.

Juveniles may make contracts for such things as purchase of clothing or other personal articles. Such contracts are legally enforceable.

When you are eighteen years old, you may make a contract for a house, car, or any other item you wish without your parent's signature.

It is considered a "breach of contract" to violate a contract unless all persons involved agree to end the contract. You may be sued for violating a contract.

## SCHOOL

A good education is a necessity in a highly technological society like ours. For this reason, all children are required to have at least a minimum amount of education unless they are physically or mentally incapable of doing so. All children between ages seven and sixteen are required to go to school. Attendance is required for 172 days each year with the exceptions of illness, attendance at private or parochial schools, or participation in supervised work-study programs.

School attendance laws really require only the minimum amount of education in basic fundamentals such as reading, writing, and mathematics. To be well prepared to find a good job as an adult, you will need to get at least a high school education. Statistics show that a person who does not graduate from high school will earn an average of $169,000 in his lifetime, a high school graduate will earn $303,000, and a college graduate will earn some $404,000. Don't be a "drop-out." You miss out on fun, friends, and success. Besides, you may be "condemning" yourself to a long life of hard work and low pay (if you can get any work at all).

School attendance laws are considered to be very serious matters. Cutting classes and "playing hooky" not only are in violation of the law, but prevent you from learning the things you will need to know to get along in our complicated world. Making a habit of being truant may cause you to be taken before the Juvenile Court and ordered to attend school. If you violate the court order, you may be declared a delinquent child and confined to an institution for delinquent children. You cannot do well in school if you are frequently absent, and you certainly will miss an important part of your education.

You may be suspended from school for breaking school rules or misbehaving in school. This means that you will not be allowed to attend school for a temporary period of time, usually a few days. In most cases you will be required to promise to improve your behavior before you come back to school.

Pupils may be expelled from school or suspended for any of the following reasons:

1. continued deliberate disobedience or open defiance of proper authority
2. deliberate destruction or defacing of school property
3. behavior dangerous to the welfare, safety, or morals of other pupils.

Expulsions may last for the period of one school year. The following school year, pupils can reapply for admission.

When you are in school, it is expected that your behavior will be cooperative and respectful to others. It is a misdemeanor to interfere with pupils, teachers, or administrators who are going about their legal educational business. Refusing to leave the school building or area after having been asked to do so is also a misdemeanor.

## SELECTIVE SERVICE

The Military Service Act of 1967 required all male citizens (and some noncitizens) to register at a local draft board within five days after their eighteenth birthday. By Presidential Proclamation (April 1, 1975), however, this act was suspended indefinitely. Young men are no longer obliged to do so.

## TOBACCO (Smoking)

It is illegal to sell tobacco products to someone under the age of sixteen without the written permission of the parents. Although it is technically not illegal to smoke, the Surgeon General's office of the United States government has repeatedly warned that smoking can be dangerous to a person's health. It has been shown medically that smoking can lead over a period of time to many different types of respiratory illnesses and lung cancer. It can, in some cases, shorten one's life span.

Smoking is an expensive habit which can become psychologically if not physically addictive. If you start smoking at age sixteen and continue smoking one pack a day until age seventy, you will have spent $11,826.00 on cigarettes alone. This amount does not include doctor bills for problems such as chronic bronchitis or having the cigarette stains cleaned off your teeth by a dentist. If you can avoid smoking, you will save money and, more importantly, give yourself a chance at a longer, healthier life.

## WORK

Many young persons like to work outside of school to earn extra money for trips, college, or to buy something special. In the early part of this century some employers misused child employees by making them work long hours for little pay and under very poor conditions. Laws were passed to protect the young from such abuse and to make sure they were not being denied the possibility of getting an education.

Generally speaking, no juvenile may be employed in Colorado under the age of fourteen. If you are fourteen or fifteen, you will need to get a work permit from your school district to work during school hours. Before a work permit is given, your school record is reviewed, consent must be given by your parents, and the district must find

that your best interests will be served by granting the permit and thereby letting you work.

After school, you may work a maximum of four hours unless there is no school the next day. With the exception of babysitting, you may not work between the hours of 9:30 p.m. and 5:00 a.m. During the summer you may work eight hours a day and forty hours a week. Special permission from the director of the division of labor must be obtained for you to work overtime. If permission is granted, the employer must pay you time and a half for overtime hours.

There are some types of work which can be done before the age of fourteen. At age nine, for example, you may deliver handbills, advertising, and advertising samples; shine shoes; take care of lawns (if no power-driven machines are used); clean walks; caddy on golf courses. At age twelve or older you may babysit; sell periodicals door to door; do lawnwork (including use of power-driven machinery). At age fourteen you may work at any nonhazardous industrial occupation, be a public messenger, operate elevators, perform janitorial duties, do office and clerical work, work in warehouses, and do nonhazardous construction work. You may work in food retail services, at gasoline stations, at cashiering, modeling, or in parks or recreational areas.

At age sixteen you may operate a motor vehicle in your work, provided you have a driver's license and you are not delivering explosives or driving a vehicle for public transportation. After age eighteen, or after having received a high school diploma or passed a General Educational Development examination, you may work at any lawful employment (Colorado Youth Employment Opportunity Act of 1971).

## PERSONAL PROBLEMS

Nearly everyone, young and old, runs into problems sometimes that he cannot handle without help. When you run into such a problem, the best thing you can do is to talk your problems over with your parents or some older person in whom you have confidence.

You can talk to friends your own age, of course, but they may well have the same or similar problems and not know how to handle them either. Older persons may not be smarter, but they have been around longer and may know from actual experience what to do in a specific situation. There are counselors in your school who can help you or find you the help you need. Also many teachers are willing to help if only you will ask them.

The following list indicates some of the places outside school where you can call or go for help. You might copy some of the numbers for your own use in case you ever need them. Remember, there's no disgrace in asking for help; everyone does. Suffering with a problem and keeping it all to yourself only causes you more problems. Seek help. You will learn from it, and be better able to solve problems for yourself in the future.

# SOURCES OF HELP

| WHO | WHERE | PHONE | KINDS OF HELP |
|---|---|---|---|
| **Alcoholics Anonymous** | Central Office<br>2801 E. Colfax Ave. | 322-4440 | drinking problems |
| Bethesda Community Mental Health Center | 4400 E. Iliff Ave. | 758-1514 | counseling |
| Big Brothers, Inc. | 1375 Delaware<br>1345 Spruce Blvd. | 623-6101<br>447-2632 | counseling, fun |
| Big Sisters of Colo., Inc. | 1245 E. Colfax Ave. | 832-2153 | counseling, fun |
| Boys Clubs of Denver, Inc. | 3480 W. Kentucky | 936-7341 | counseling, sports |
| Comitis Crisis Center | 1150 S. Chambers Rd. | 751-3010 | drug problems |
| Denver Fire Department | | dial 911 | rescue, emergencies |
| Denver General Hospital | W. 8th Ave. and Cherokee | 893-6000 | medical, emergencies |
| Suicide Prevention Center of DGH | | 244-6835 | counseling, suicide prevention |
| Denver Mental Health Center | 1760 High | 388-3627 | counseling |
| Denver Police Department<br>Emergency Assistance<br>Bicycle Section<br>Division of Community Relations<br>School Resource Officers | | dial 911<br>297-2954<br>297-2378<br>297-2565 | licensing, theft of<br>police-community problems<br>police-community problems |
| Drug Rescue and Bad Trip Service (Hip Help Center) | 1364 Elati | 222-3344 | drug assistance, medical, clothing |
| Legal Aid Society<br>Metro<br>Neighborhood Offices:<br>East Side Office<br>North Denver Office | 912 Broadway<br><br>2130 Downing<br>1643 Boulder St. | 837-1313<br><br>222-1806<br>433-8771 | legal problems |
| Malcolm X Center for Mental Health | 5023 E. 28th Ave. | 355-1634 | counseling |
| Metropolitan Community Mental Health Center | W. 8th Ave. and Cherokee | 893-6000 | counseling |
| Metropolitan Lawyer Referral Service | 1117 Cherokee | 573-8871 | legal problems |

## SOURCES OF HELP, continued

| WHO | WHERE | PHONE | KINDS OF HELP |
|---|---|---|---|
| Opportunity School | 1250 Welton | 572-8218 | continuing education |
| Suicide and Crisis Control | 2459 South Ash | 756-8485<br>789-3073<br>757-0988 | suicide prevention, emotional problems |
| YMCA | | | |
| Central & Metro | 25 E. 16th Ave. | 861-8300 | counseling, fun, sports |
| East Denver | 3540 E. 31st Ave. | 322-7761 | |
| Schlessman Branch | 3901 E. Yale Ave. | 757-8484 | |
| Southwest Branch | 3680 W. Mexico | 922-3747 | |
| YWCA | 2330 Downing | 825-7141 | counseling, fun, sports |